

EXHIBIT "D"

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December 3, 2007

Honorable Stephen C. Robinson
United States District Judge
United States District Court, S.D.N.Y.
300 Quarropas Street, Room 633
White Plains, NY 10601

Re: Shatz v. Strumpf
Docket No. 07 Civ 7129 (SCR)

Honorable Sir:

I received today a letter from Shmuel Klein, Esq., attorney for plaintiff herein, dated November 28, 2007 addressed to the Court (I note that the letter, although dated November 28, 2007, was sent in an envelope postmarked November 30, 2007).

First, prior to making my motion, I carefully reviewed this Court's Rules of Individual Practices, and since my motion is one pursuant to Rule 12, it falls under II A. 3, which specifically states that it may be "filed without a pre-motion conference," and, in accordance with that Rule, I wrote to the Court requesting that the Court set the remaining briefing schedule.

Although I do feel it is inappropriate to argue my motion or the merits of plaintiff's case in this letter, I respectfully bring the following to the Court's attention in response to statements in plaintiff's letter.

Contrary to plaintiff's assertions, I am not a "large debt collection firm." I am a sole practitioner, and do not employ any other attorneys. Further, although I advised my old post office of my new address on August 16, 2007, I received numerous telephone calls from persons and companies who sent mail to my old address in August of 2007, telling me that they received it back, marked "return to sender." I never received the summons and complaint in this action by regular mail nor by certified mail. Additionally, I have no "valid address" in "New Haven, CT." (2nd p, 1st par. Of defendant's letter).

More important, however, as I pointed out in my motion papers, the issue is not whether or not defendant has "knowledge" of the lawsuit – the issue is whether or not defendant was properly served. Plaintiff apparently does not deny that it was improper to attempt to serve my law office through a defunct corporation that never operated as my law firm or practiced law.

Finally, regarding the merits of plaintiff's claim, I followed the New York Civil Practice Law and Rules in obtaining the judgment against plaintiff, which is validly entered in State Court, and I also followed the CPLR in all post-judgment procedures.

I thank the Court for its attention to this matter.

Very truly yours,



LINDA STRUMPF

Encl

Overnight Mail

cc: Shmuel Klein, PC

